

05-380 GONZALES, ATTY. GEN. V. CARHART, ET AL.

DECISION BELOW: 413 F.3d 791 (8th Cir. 2005)

LOWER COURT CASE NUMBER: 04-3379

QUESTION PRESENTED

Whether, notwithstanding Congress's determination that a health exception was unnecessary to preserve the health of the mother, the Partial-Birth Abortion Ban Act of 2003 is invalid because it lacks a health exception or is otherwise unconstitutional on its face.

Cert. Granted 2/21/06